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ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Division for Air Quality
200 Fair Oaks Ln 3rd Fl
Frankfort, KY 40601
www.kentucky.gov

October 15, 2015

Certified No. 70113500000070633390
Return Receipt Requested

Blue Grass Army Depot
431 Battlefield Memorial Hwy
Richmond, KY 404755060

Re: Notice of Violation
AI ID: 2805
AI Name: Blue Grass Army Depot
Activity ID: ENV20150002
Permit No. V-12-037 R1
Madison County, KY

Dear Blue Grass Army Depot:

The Kentucky Department for Environmental Protection (DEP) has issued the enclosed Notice of Violation for violations discovered at your facility. Please review this Notice of Violation carefully to ensure that all remedial measures are completed by the specified deadlines.

Your cooperation and attention to this matter is appreciated. If you have any questions, please contact me at 502-229-7007.

Sincerely,

Stanley Wolfe,
Environmental Scientist III
Division for Air Quality

Enclosure

**COMMONWEALTH OF KENTUCKY
ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION
Division for Air Quality**

NOTICE OF VIOLATION

To: Blue Grass Army Depot
431 Battlefield Memorial Hwy
Richmond, KY 404755060

AI Name: Blue Grass Army Depot **AI ID:** 2805 **Activity ID:** ENV20150002
Discovery ID: CIN20150011 **County:** Madison
Date(s) Violation(s) Observed: 08/14/2015

This is to advise that you are in violation of the provisions cited below:

1 Violation Description for Subject Item AIOO0000002805():

Sources subject to this administrative regulation shall operate in compliance with a permit issued under this administrative regulation. [401 KAR 52:020 Section 3(1)(b)]

Description of Non Compliance:

The permittee shall follow the BGAD Standing Operating Procedures (SOP) for OD. The SOP requires that OD operations be restricted to periods when surface wind speed is more than 3 miles an hour and less than 20 miles an hour, with gusts less than 30 miles per hour.

Further, the BGAD OD SOP requires that operations be curtailed when winds blow from directions that approximately encompass the clockwise angle from 300 through 65 degrees (north = 360 degrees) so as to minimize the chance of fugitive emissions leaving the BGAD property.

During OD operations, emissions shall be monitored by demo ground personnel and OD operations cease when fugitive emissions are carried or appear likely to be carried over any publicly accessible area within one mile of the demolition grounds.

On August 14, 2015 the wind speed was gusting between 3mph and 5mph, with the wind blowing in a SW direction. Fugitive emissions were carried South over public road KY HWY 499 and onto the residents' property South of the Open Detonation area.

The remedial measure(s), and date(s) to be completed by are as follows:

Cease all Open Detonation activity during unfavorable weather conditions.

Please respond to this NOV within fifteen (15) day of receipt with a plan describing BGAD's continuing efforts to eliminate all fugitive emissions from the Open Detonation activities.
[401 KAR 52:020 Section 3(1)(b)]

2 Violation Description for Subject Item AIOO0000002805():

Sources subject to this administrative regulation shall operate in compliance with a permit issued under this administrative regulation. [401 KAR 52:020 Section 3(1)(b)]

Description of Non Compliance:

During OD operations, emissions shall be monitored by demo ground personnel and OD operations cease when fugitive emissions are carried or appear likely to be carried over any publicly accessible area within one mile of the demolition grounds.

During an Incident Investigation conducted on July 31, 2014, an "Impending Trends" compliance determination was issued to BGAD based on WindRose tool data. The facility submitted a response to DAQ, which was received on February 27, 2015.

According to the letter received: "When meteorological conditions are determined to be conducive for OD operations, "spotters" are stationed to visually observe the dust cloud that is typically formed following a detonation event."

No "spotters" were observed to be present on August 14, 2015.

NOV will be issued for not following BGAD's implemented SOP during this Open Detonation event.

The remedial measure(s), and date(s) to be completed by are as follows:

Cease all Open Detonation activity during unfavorable weather conditions.

Please respond to this NOV within fifteen (15) day of receipt with a plan describing BGAD's continuing efforts to eliminate all fugitive emissions from the Open Detonation activities.

[401 KAR 52:020 Section 3(1)(b)]

3 Violation Description for Subject Item AREA0000000005Waste Military Munitions Treatment by Open Burning / Open Detonation (EU22):

No person shall cause or permit the discharge of visible fugitive dust emissions beyond the lot line of the property on which the emissions originate. [401 KAR 63:010 Section 3(2)]

Description of Non Compliance:

Fugitive emissions were observed being carried over public road KY HWY 499 on 8/14/15 and deposited on to the residents land South of BGAD's property line originating from BGAD's Open Detonation area.

The remedial measure(s), and date(s) to be completed by are as follows:

Cease all Open Detonation activity during unfavorable weather conditions.

Please respond to this NOV within fifteen (15) day of receipt with a plan describing BGAD's continuing efforts to eliminate all fugitive emissions from the Open Detonation activities.

[401 KAR 52:020 Section 3(1)(b)]

Violations of the above cited statute(s) and/or regulation(s) are subject to a civil penalty per day per violation. Violations carry civil penalties of up to \$25,000 per day per violation depending on the statutes/regulations violated. In addition, violations may be concurrently enjoined. Compliance with remedial measures and their deadlines does not provide exemption from liability for violations during the period of remediation, nor prevent additional remedial measures from being required.

If you have questions or need further information, write or call the undersigned:

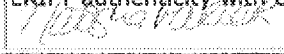
Division for Air Quality
Frankfort Regional Office
200 Fair Oaks Ln 3rd Fl
Frankfort, KY 40601
(8:00 AM – 4:30 PM)
Stanley Wolfe, Environmental Scientist III

Issued By:



Stanley Wolfe, Environmental Scientist III
Date: October 15, 2015

Issued By:

E-Signed by Natasha Parker
VERIFY authenticity with e-Sig


Natasha Parker, Environmental Control Supervisor
Date: October 15, 2015

How Delivered: Certified/Registered # 70113500000070633390